

Remarks

Applicants believe that this amendment places the subject application in better condition for allowance and in so doing introduces no new issues. Therefore, entry of this Amendment, reconsideration of the application, and allowance of all claims pending herein is respectfully requested.

Claims 1-20 were previously presented in the subject application. Claims 1, 3, 4, and 7-14 have been amended herewith. No new matter has been added.

Rejections under § 112:

Claims 1, 3, 4, 7 and 11-14 stand rejected under § 112 as failing to comply with the written description requirement and as being indefinite, on the ground that these claims recite "substantially every other computer PCi." (Office Action p. 2). These claims have been amended to remove the word "substantially." Therefore, this rejection has been accommodated.

Rejections under § 102:

Claims 1-20 stand rejected under § 102 as anticipated by Kaufman et al., U.S. Patent No. 7,590,984. To the extent deemed relevant in light of the amended claims, Applicants respectfully traverse this rejection.

As amended, each of the independent claims recites "a fixed plurality n of computers PCi." In contrast, Kaufman et al. do not disclose a fixed plurality of computers. Kaufman et al. make clear that computers may be dynamically added and removed during the data exchange process. "The loosely coupled nature of the connection-ware allows new components to be added, old components to be removed or changed (even on the fly), and new relationships (between components) to be created." (Kaufman et al. col. 14 lines 61-64).

Kaufman et al. also explain how the compute agents are added and removed during processing.

[S]ystem 10 is continually monitoring the performance of the CAs 20 in the grid. From the machine profile and power rating for each CA 20, system 10 compares the current capability of each CA 20 with their initial capability. At decision block 1130, system 10 uses this comparison to determine if all VPPs are processing at

the desired rate. If the problem is progressing at the desired rate, system 10 returns to decision block 1125. Otherwise, system 10 locates any CAs 20 with reduced resources or power rating at block 1135. System 10 looks for CAs 20 with increased resources available at decision block 1140. If none are available, system 10 may locate an additional CA 20 among compute resources 40, 45 to add to the grid. System 10 may then move one or more VPPs from the CA 20 with reduced resources to the new CA 20 or CA 20 with increased resources.

(Kaufman et al. col. 18, lines 52-67) (emphasis added). Since Kaufman et al. specify that compute agents may be added and removed during the processing, Kaufman et al. do not disclose a fixed plurality of computers. Therefore, Kaufman et al. do not anticipate the claims.

CONCLUSION

Applicants submit that the dependent claims are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations. Applicants therefore further submit that all of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot.

This application is now believed to be in condition for allowance, and such action at an early date is respectfully requested. However, if any matters remain unresolved, the Examiner is encouraged to contact the undersigned by telephone.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-0734** referencing Docket No. 1215.004. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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